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Attorneys for Plaintiffs Laborers Trust Funds

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

11 BOARD OF TRUSTEES OF THE
12 LABORERS HEALTH AND WELFARE
13 TRUST FUND FOR NORTHERN
14 CALIFORNIA; BOARD OF TRUSTEES OF
15 THE LABORERS VACATION-HOLIDAY
16 TRUST FUND FOR NORTHERN
17 CALIFORNIA; BOARD OF TRUSTEES OF THE
LABORERS PENSION TRUST FUND
FOR NORTHERN CALIFORNIA; and
BOARD OF TRUSTEES OF THE
LABORERS TRAINING AND RETRAINING
TRUST FUND FOR NORTHERN
CALIFORNIA,

Case No.: C 08 CV 00355 PJH

**PLAINTIFFS' STATEMENT IN LIEU OF
CASE MANAGEMENT CONFERENCE
STATEMENT; ORDER THEREON**

Date: May 8, 2008
Time: 2:30 p.m.
Ctroom: 3, 17th Floor
Hon. Phyllis J. Hamilton

18 | Plaintiffs,

vs.

20 KURT ALBIN ERNST individually and doing
21 business as ERNST MECHANICAL
COMPANY, a California Company.

Defendants.

24 Plaintiffs offer this Statement in Lieu of the Case Management Conference Statement.

25 On January 18, 2008 Plaintiffs filed their Complaint For Damages for Breach of
26 Collective Bargaining Agreement and For A Mandatory Injunction (“Complaint”) seeking to
27 recover outstanding trust fund contributions on behalf of Defendants’ covered employees.

1 On March 31, 2008 Plaintiffs filed their Request for dismissal against Ernst Mechanical
2 Company. The Request for Dismissal was granted. The remaining defendant in this action is
3 Kurt Albin Ernst. Defendant Kurt Albin Ernst has not filed a responsive pleading in this case.

4 On April 25, 2008 Plaintiffs filed their Request for Clerk's Entry of Default Against
5 Defendant Kurt Albin Ernst. Once the Clerk enters the default of Kurt Albin Ernst, Plaintiffs
6 will proceed with a Motion for Default Judgment. It is anticipated that Plaintiffs will file their
7 Motion for Default Judgment within the next 60 days.

8 Based on the above, Plaintiffs respectfully request that the Case Management
9 Conference be continued for sixty days.

10 DATED: April 25, 2008

11 BULLIVANT HOUSER BAILEY PC

12
13 By Ronald L. Richman
14 Ronald L. Richman

15 Attorneys for Plaintiffs Laborers Trust Funds

17 **CASE MANAGEMENT ORDER**

18 The Court having read Plaintiffs' Statement in Lieu of Case Management Conference
19 Statement and good cause appearing therefore:

20 IT IS HEREBY ORDERED that the Case Management Conference currently scheduled
21 for May 8, 2008 at 2:30 p.m. be continued to _____, 2008 at 2:30 p.m.,
22 Courtroom 3, 17th floor, San Francisco, California.

23 DATED: April ___, 2008

24
25 By _____
26 HON. PHYLLIS J. HAMILTON
27 UNITED STATES DISTRICT JUDGE
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